

FILED

Oct 20 2021

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA****CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO****CRIMINAL COVER SHEET**

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. Melissa Cibrian

CASE NUMBER:

CR 21-406 WHO

Is This Case Under Seal?

Yes

No

☒**Total Number of Defendants:**1 ☒

2-7

8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes

No

☒**Venue (Per Crim. L.R. 18-1):**SF ☒

OAK

SJ

Is this a potential high-cost case?

Yes

No

☒**Is any defendant charged with a death-penalty-eligible crime?**

Yes

No

☒**Is this a RICO Act gang case?**

Yes

No

☒**Assigned AUSA**

(Lead Attorney): Evan M. Mateer

Date Submitted: 10/20/2021**Comments:**

RESET FORM

SAVE PDF

STEPHANIE M. HINDS (CABN 154284)
Acting United States Attorney

FILED

Oct 20 2021

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR21-406 WHO
Plaintiff,)	
v.)	VIOLATION:
MELISSA CIBRIAN,)	Count 1: 18 U.S.C. § 1344 – Bank Fraud
Defendant.)	
		SAN FRANCISCO VENUVE

I N F O R M A T I O N

The United States Attorney charges:

COUNT ONE: 18 U.S.C. § 1344 – Bank Fraud

On or about January 27, 2020, in the Northern District of California, the defendant,

MELISSA CIBRIAN,

did knowingly attempt to execute a scheme and artifice to obtain moneys, funds, credits, asset, securities, or other property owned by, or under the custody or control of Bank of America, a federally insured financial institution, by means of false and fraudulent pretenses, representations, and promises in violation of Title 18, United States Code, Section 1344.

FORFEITURE ALLEGATION: (18 U.S.C. § 924(d), 982(a)(2)(A), and 28 U.S.C. § 2461(c))

The allegations contained in Count One of this Information is re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 924(d),

1 982(a)(2)(A), and Title 28, United States Code, Section 2461(c).

2 Upon conviction of Count One in this Information, the defendant,

3 MELISSA CIBRIAN,

4 shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section

5 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as

6 A result of such violation.

7 If any of the property described above, as a result of any act or omission of the defendant:

8 a. cannot be located upon exercise of due diligence;

9 b. has been transferred or sold to, or deposited with, a third party;

10 c. has been placed beyond the jurisdiction of the court;

11 d. has been substantially diminished in value; or

12 e. has been commingled with other property which cannot be divided without
13 difficulty,

14 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
15 United States Code, Section 853(p).

16 All pursuant to 18 U.S.C. § 924(d), 982(a)(2)(A), and 28 U.S.C. § 2461(c) and Federal Rule of
17 Criminal Procedure 32.2

18 DATED: October 20, 2021

STEPHANIE M. HINDS
Acting United States Attorney

19
20 /s/ Evan M. Mateer
EVAN M. MATEER
21 Special Assistant United States
22 Attorney
23
24
25
26
27
28

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 U.S.C. § 1344 - Bank Fraud

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

 PENALTY: Max. prison term: 30 years (18 U.S.C. § 1344)
 Max. term of supervised release: 5 years (18 U.S.C. § 3583(b))
 Maximum fine: \$250,000 (18 U.S.C. § 3571(b)(3))
 Special assessment: \$100 (18 U.S.C. § 3013)

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION
DEFENDANT - U.S.

MELISSA CIBRIAN

DISTRICT COURT NUMBER

CR21-406 WHO

FILED

Oct 20 2021

 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

☐ person is awaiting trial in another Federal or State Court,
 give name of court

☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.
☐ this prosecution relates to a
 pending case involving this same
 defendant
MAGISTRATE
CASE NO.
☒ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

21-mj-70137

 Name and Office of Person
 Furnishing Information on this form Stephanie M. Hinds

☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned) Evan M. Mateer
IS NOT IN CUSTODY
 1) ☐ Has not been arrested, if
 If not detained give date
 summons was served on
2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

Northern District of California

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 * Where defendant previously apprehended on complaint, no new summons or
 warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments: